

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBIN M. LEE,
 Plaintiff,

v.

HENDERSON DETENTION CENTER et al.,
 Defendants.

2:13-cv-1850-JCM-CWH

ORDER

I. DISCUSSION

On February 18, 2014, this Court issued an order denying Plaintiff's first application to proceed *in forma pauperis* without prejudice because Plaintiff's application was incomplete. (ECF No. 6 at 1-2). On March 10, 2014, Plaintiff filed his second application for *in forma pauperis* and an amended complaint. (ECF No. 9, 9-1). On March 14, 2014, this Court issued an order denying Plaintiff's second application to proceed *in forma pauperis* without prejudice because the application was incomplete. (ECF No. 12 at 1-2). On April 7, 2014, Plaintiff filed his third application to proceed *in forma pauperis*. (ECF No. 13). This application is also incomplete.

Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff has submitted an inmate account statement but has not submitted a properly executed financial certificate on page 4 of the application. (See ECF No. 13 at 4). Plaintiff has not obtained the signature of an authorized officer to certify that Plaintiff's financial information is correct. (*Id.*). As such, the *in forma pauperis* application is denied without prejudice. The Court will retain Plaintiff's

1 amended civil rights complaint (ECF No. 9-1), but will not file it until the matter of the payment
2 of the filing fee is resolved. Plaintiff will be granted an opportunity to cure the deficiencies of
3 his application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this
4 action. If Plaintiff chooses to file a new application to proceed *in forma pauperis* he must file
5 a fully complete application to proceed *in forma pauperis*.

6 **II. CONCLUSION**

7 For the foregoing reasons, IT IS ORDERED that Plaintiff's third application to proceed
8 *in forma pauperis* (ECF No. 13) is DENIED without prejudice to file a new application.

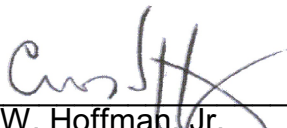
9 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the
10 approved form application to proceed *in forma pauperis* by a prisoner, as well as the document
11 entitled information and instructions for filing an *in forma pauperis* application.

12 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
13 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the
14 correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or
15 (2) pay the full filing fee of \$400.

16 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
17 dismissal of this action may result.

18 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the amended
19 complaint (ECF No. 9-1), but shall not file it at this time.

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21 DATED: This 10th day of April, 2014.

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24 C.W. Hoffman, Jr.
United States Magistrate Judge
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